

**NOTICE OF FINAL RULEMAKING**

**TITLE 7. EDUCATION**

**CHAPTER 2. STATE BOARD OF EDUCATION**

**ARTICLE 6. CERTIFICATION**

**PREAMBLE**

- 1. Sections Affected**                      **Rulemaking Action**

R7-2-611                                      Amend

R7-2-617                                      Amend
- 2. The specific authority for rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing Statute: A.R.S. §15-203(A)

Implementing Statute: A.R.S. §15-203(A)(14)
- 3. Effective Date of the Rule:**

In accordance with A.R.S. §41-1032, these rules will become effective sixty days after certification by the Attorney General and filing with the Secretary of State's Office.
- 4. A list of all previous notices appearing in the Register addressing the final rule:**

Notice of Rulemaking Docket Opening: Volume 8 A.A.R., Page 4426, October 18, 2002

Notice of Proposed Rulemaking: Volume 9 A.A.R., Page 915, March 21, 2003
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

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**6. An explanation of the rule, including the agency's reasons for initiating the rule:**

The State Board of Education is seeking amendments to R7-2-611 and R7-2-617 to address three critical issues that are currently addressed by emergency rules. The issues raised during the emergency rulemaking process are still relevant and would exist if permanent rules are not adopted. The first issue is that the Board would be unable to issue Provisional Vocational Education Teaching Certificates. The second issue would be the Board's inability to renew the Provisional Education Teaching Certificates for current certificate holders. The third issue that would arise without the adoption of these rules is that many individuals with an existing Provisional Vocational Education Teaching Certificate would not be able to convert that certificate to a Standard Vocational Education Teaching Certificate under the existing rules established in 1998.

The amendments contained in this rule package address the prior issues raised by the Attorney General's Office with regard to the rules package that was submitted in 2000 and subsequently rejected. This rules package maintains a proposal for various academic and professional routes to obtain a teaching certificate in the various disciplines of career and technical education while instituting uniformity in the requirements across the different disciplines as suggested by the Attorney General's Office.

The Attorney General's office rejected the vocational education rules submitted in 2000 for several reasons. The issues raised included: 1) the 2000 rules lacked uniformity across certificates; 2) The 2000 rules lacked definitions for terms that were used throughout the rules as well as definitions for subject matter and verified experience that was referenced; 3) the Attorney General's Office advised that there was a lack of specificity in reference to industry recognized occupational certifications or licenses; 4) the options for each of the vocational certificates were not uniform or aligned; and 5) the teacher evaluation requirement lacked clarity. Each of these issues has been addressed by providing definition and/or clarity or removing the component in question in the amendments recommended in this rules package.

**7. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

Not applicable.

**8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

The proposed rules will not diminish any previous grant of authority of a political subdivision of this state.

**9. The summary of the economic, small business, and consumer impact:**

The proposed amendments in this rule package will have no negative economic, small business or consumer impact. The economic and consumer impact is expected to be positive by allowing: (1) existing certificate holders to continue in the classroom by providing the mechanism to renew their Provisional Vocational Education Teaching Certificate, (2) conversion of a Provisional Vocational Education Teaching Certificate to a Standard Vocational Education Teaching Certificate, and (3) additional vocational education teacher candidates will be allowed to obtain a Vocational Education Certificate. Each of the individuals listed in the above groups will experience economic benefit.

Teachers seeking initial vocational education certification will benefit by having multiple routes to obtaining certification. Statewide, students, schools, and school districts will benefit by having a continuing stream of qualified teachers available. Neither the State Board of Education, the Department of Education, nor any school districts or other political subdivisions will be subject to additional costs by these rules. There will be no effect on small business or on state revenues, and there is not a less-intrusive method for accomplishing the goals achieved by these rules.

**10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

There are no changes between the proposed rules and the final rules.

**11. A summary of the comments made regarding the rule and the agency response to them:**

One individual appeared to provide public comment during the oral proceeding

held Monday, May 12, 2003.

*(Public Comment):* Asked for the rules to move forward as currently proposed, but requested future discussion regarding subject-knowledge test requirements or professional license requirements for Career and Technical Education Teacher Certificate holders. It was stated that this will establish a higher degree of rigor for certification and will be reflected in the rigor of the coursework being provided to students of career and technical education courses. It was recognized that there are differing views with the education community on this issue and additional work is necessary prior to enacting additional requirements.

*(Agency Response):* The Board agrees that further discussion in this area is warranted, but agrees that there are different points of view that must be presented in considering any future recommendation in this area. It should also be recognized that the No Child Left Behind Act has requirements for demonstration of subject-knowledge expertise for career and technical education teachers who are providing instruction in courses in which core academic credit is awarded. Any discussion of further requirements on career and technical education certificate holder should be reviewed in connection with the federal requirements of No Child Left Behind. In addition, the State Board and the Department of Education are currently embarking on a Teacher Quality and Certification Task Force to discuss various issues regarding certification and this would be an appropriate venue for further discussions on the subject presented.

**12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class or rules:**

Not applicable.

**13. Incorporations by reference and their location in the rules:**

None.

**14. Was this rule previously made as an emergency rule:**

Yes.

**If so, please indicate the Register citation:**

<b>Name of Notice</b>	<b>Vol. #</b>	<b>Page #</b>	<b>Issue Date</b>
Notice of Emergency Rulemaking	8	5139	December 20, 2002

**15. The full text of the rules follows:**